



REPUBLIC OF KENYA

KENYA'S OPENING STATEMENT FOR THE RESUMED FIFTH SESSION OF THE INTERGOVERNMENTAL NEGOTIATING COMMITTEE (INC-5.2) ON ENDING PLASTIC POLLUTION: TOWARDS A LEGALLY BINDING INSTRUMENT, IN GENEVA SWITZERLAND FROM 4TH – 14TH AUGUST, 2025.

Mr. Luis Vayas Valdivieso Chair of the Committee,

Ms. Inger Andersen, Executive Director, UNEP

Ms. Jyoti Mathur Phillip, Executive Secretary of the INC,

Distinguished Delegates

Ladies and Gentlemen

1. We thank the Government and people of Switzerland for hosting this resumed session of INC 5.2 in this beautiful city, Geneva.
2. Kenya recognizes the significant progress made to date, which has required substantial dedication, including the sacrifice of time, resources, and personal comfort by the Chair, the UNEP Secretariat, delegates, and non-state actors representing diverse constituencies globally, each with a stake in ending plastic pollution.
3. Kenya will fully participate in this resumed session with strong optimism that the genuine spirit of global unity and a rules-based multilateralism will bring UNEA Resolution 5.2 to life. We are confident that this

process will culminate in the adoption of an international instrument, here in Geneva.

4. We take note that the interpretation of the UNEA resolution 5/14 remains in contestation. While we are still engaged with these semantics, plastic pollution is rising, compromising human, biodiversity and ecosystems health.
5. Colleagues, we must recall that we, Member States, negotiated and adopted this resolution. To uphold the credibility of the process, it is essential that we respect the mandate set forth in the resolution and refrain from backtracking, reopening negotiations, or overinterpreting the text, so that the process can progress effectively towards a successful conclusion.

Mr. Chair

6. Kenya reaffirms that the objective of the instrument is to **end plastic pollution across the full life cycle**, including in the marine environment. We stand for this, and expect that Member States shall adopt modalities towards a **globally quantified target to end plastic pollution to guide all initiatives, and to which all Member States shall contribute**.
7. On the Preamble, Kenya would like to reiterate the importance of addressing the broader aspect of health to address the environment as well as animal health. Plastics pollution results into ecological degradation that impact negatively on organism and human health and the need to promote preventive measures. Ecosystem health degradation should take centre stage as this forms the link from where most humans and other organisms get affected by pollution.
8. Kenya believes that clear and precise language is needed in Article 3 on plastic products. We recommend the establishment of globally harmonized standards or criteria that all countries should implement.

9. We believe that Chemicals of concern should at the very least have an initial listing noting that the current Chemical frameworks cover a very limited scope of plastics utilized in the plastics life cycle. We believe that chemicals of concerns must be listed and labelled appropriately to facilitate effective traceability, monitoring and effective restriction including elimination.
10. On release, Kenya supports amendment to the text to include plastic life cycle and microplastics. We are all aware of recent studies suggesting presence of microplastics in plants, aquatic organisms and human organs.
11. On Article 8 on waste management, Kenya notes that Extended Producer Responsibility (EPR) is crucial in implementation of the polluter pay principle. Kenya is already implementing EPR for all plastics and would wish to advice on the need for the text on EPR to be expanded to provide for some criteria and general guidelines to guide member states in engaging in this aspect.
12. Kenya remains committed to the **One Health Approach** because human health is intrinsically tied to biodiversity and ecosystems health. Plastics particles have been found in the human body, food, water, soil, and air we breathe. We are studying the proposed text by Brazil for possible adoption as a compromise text.
13. **On Article 11**, We call for a financial mechanism supported by dedicated funding to enable parties tackle the enormity of the plastic challenge at hand.
14. **On Article 20** on the Conference of the Parties, Kenya believes in following best practices in the Multilateral Environmental Agreements including Minamata Convention where the Executive Director of UNEP is mandated to convene the first meeting of the COP.

15. We believe there is no need to go against this well-established precedence. The Executive Director of UNEP should be **mandated to convene the first meeting of the COP.**

Mr. Chair

16. Kenya reiterates our position regarding **Article 21** on the Secretariat; we propose that the secretariat functions of the instrument to be performed by Executive Director of the United Nations Environment Programme and domiciled in the UNEP Headquarters in Nairobi

17. This proposal is aligned with the decision of the African Ministerial Conference on Environment (AMCEN) adopted in August 2023 and is consistent with paragraph 88 sub-paragraph k of the *future we want* outcome document of the Rio+20 conference calling for the consolidation of the UNEP Headquarter functions in Nairobi.

18. Further, the United Nations at 80 reforms, designed to streamline operations, realign mandates, and address financial challenges involves building a UN that is not only fit for purpose, but one that is sustainable and inclusive. Colleagues it behoves us to align our current interests with the fiscal realities currently being faced by the UN fraternity.

19. The appetite remains and we are optimistic that an ambitious treaty is still achievable at the resumed session of INC-5. The process must remain transparent and inclusive for legitimacy and ownership.

20. In conclusion, Kenya reiterates the need to strengthen UNEP Headquarters to deal with all matters environment. In this context, Kenya calls on Member States to support its bid to host the Secretariat of the forthcoming plastic pollution instrument at UNEP Headquarters in Nairobi Kenya.

I thank you chair.

